

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 32

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PREETI LAL, KARL J. GUEGLER
and NEIL C. CORLEY

Appeal No. 2002-1561
Application No. 09/397,558

MAILED

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REMAND TO THE EXAMINER

A Reply Brief (Paper No. 30) and a Declaration in the name of Lars Michael Furness (Paper No. 31) was filed on June 6, 2002. The examiner has not seen these papers. The Reply Brief needs to be considered by the examiner with respect to compliance with the criteria set forth in 37 CFR § 1.193(b)(1).

Accordingly, it is

ORDERED that the application be remanded to the examiner for appropriate consideration of the Reply Brief, the Declaration in the name of Lars Michael Furness, and for such further action as may be appropriate.

This application, by virtue of its "special" status, requires an immediate action, see Manual of Patent Examining Procedure § 708.01 (Eighth Edition, Aug. 2001), item (D).

Appeal No. 2002-1561
Application No. 09/397,558

Page 2

It is important that the Board of Patent Appeals and Interferences be promptly informed of any action affecting the appeal in this case.

BOARD OF PATENT APPEALS
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